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OFFICIAL GAZETTE

GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

NOTE

There is one Extraordinary issue to the Official Gazette, Series I No. 1 dated 2-4-2015, namely Extraordinary dated 2-4-2015 from pages 29 to 32 regarding Amendment to the fees for renewal of licence for Casinos — Not. No. 21/3/2015-HD(G)/992 from Department of Home (Home—General Division).

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GOVERNMENT OF GOA

Department of Home

Home—General Division

Order

3/6/90-HD(G)

Read: Government Order No. 3/6/90-HD(G) dated 28-05-1997, published in the Official Gazette, Series I No. 14, dated 03-07-1997.

The Government of Goa is pleased to substitute clause 3(a) of the 'Scheme for Grant of Award/Reward to Fire Service Personnel' approved vide Order No. 3/6/90-HD(G) dated 28-05-1997, published in the Official Gazette, Series I No. 14, dated 03-07-1997 as under:—

For clause 3(a) following clause shall be substituted, namely:—

“(a) The Director, Fire and Emergency Services may issue commendatory note to any Fire Official irrespective of rank and also grant cash reward upto Rs. 3,000/- (Rupees three thousand only) in any one case/ /incident on special events involving skill and devotion to duties. However, the maximum amount of reward sanctioned by the Director, Fire and Emergency Services to any one individual will not exceed Rs. 1,000/- (Rupees one thousand only).”

By order and in the name of the Governor of Goa.

Harish N. Adconkar, Under Secretary (Home).

Porvorim, 2nd April, 2015.

Department of Law & Judiciary

Legal Affairs Division

—
Notification

10/3/2014-LA

The Securities Laws (Amendment) Act, 2014 (Central Act No. 27 of 2014), which has been passed by Parliament and assented to by the President on 22-08-2014 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 22-08-2014, is hereby published for the general information of the public.

Julio Barbosa Noronha, Under Secretary (Law).

Porvorim, 10th March 2015.

THE SECURITIES LAWS (AMENDMENT)
Act, 2014

AN

ACT

further to amend the Securities and Exchange Board of India Act, 1992, the Securities Contracts (Regulation) Act, 1956 and the Depositories Act, 1996.

Be it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows:—

CHAPTER I

Preliminary

1. *Short title and commencement.*— (1) This Act may be called the Securities Laws (Amendment) Act, 2014.

(2) Save as otherwise provided, the provisions of this Act, except clause (ii) of section 5, section 6 to section 16, section 25 to section 33, section 36 and section 41 to section 48, shall be deemed to have come into force on the 18th day of July, 2013.

(3) The provisions of clause (ii) of section 5, section 16, section 33, section 36 and section 48 of this Act shall be deemed to have come into force on the 28th day of March, 2014.

(4) The provisions of section 6 to section 15, section 25 to section 32 and section 41 to section 47 of this Act shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

CHAPTER II

Amendments to the Securities and Exchange Board of India Act, 1992

2. *Amendment of section 11.*— In section 11 of the Securities and Exchange Board of India Act, 1992 15 of 1992. (hereafter in this Chapter referred to as the principal Act),—

(i) in sub-section (2),—

(a) for clause (ia), the following clause shall be substituted, namely:—

“(ia) calling for information and records from any person including any bank or any other authority or board or corporation established or constituted by or under any Central or State Act which, in the opinion of the Board, shall be relevant to any investigation or inquiry by the Board in respect of any transaction in securities;”;

(b) after clause (ia), the following clause shall be inserted and shall be deemed to have been inserted with effect from the 6th day of March, 1998, namely:—

“(ib) calling for information from, or furnishing information to, other authorities, whether in India or outside India, having functions similar to those of the Board, in the matters relating to the prevention or detection of violations in respect of securities laws, subject to the provisions of other laws

for the time being in force in this regard:

Provided that the Board, for the purpose of furnishing any information to any authority outside India, may enter into an arrangement or agreement or understanding with such authority with the prior approval of the Central Government;”;

(ii) after sub-section (4), the following sub-section shall be inserted, namely:—

“(5) The amount disgorged, pursuant to a direction issued, under section 11B of this Act or section 12A of the Securities Contracts (Regulation) Act, 1956 or section 19 of the 42 of 1956. Depositories Act, 1996, as the 22 of 1996. case may be, shall be credited to the Investor Protection and Education Fund established by the Board and such amount shall be utilised by the Board in accordance with the regulations made under this Act.”.

3. *Amendment of section 11AA.*— In section 11AA of the principal Act,—

(i) in sub-section (1),—

(a) after the word, brackets and figure “sub-section (2)”, the words, brackets, figure and letter “or sub-section (2A)” shall be inserted;

(b) the following proviso shall be inserted, namely:—

“Provided that any pooling of funds under any scheme or arrangement, which is not registered with the Board or is not covered under sub-section (3) involving a corpus amount of one hundred crore rupees or more shall be deemed to be a collective investment scheme.”;

(ii) in sub-section (2), in the opening portion, for the word “company”, the word “person” shall be substituted:

(iii) after sub-section (2), the following sub-section shall be inserted, namely:—

“(2A) Any scheme or arrangement made or offered by any person satisfying the conditions as may be specified in accordance with the regulations made under this Act.”;

(iv) in sub-section (3),—

(a) after the word, brackets and figure “sub-section (2)”, the words, brackets, figure and letter “or sub-section (2A)” shall be inserted;

(b) after clause (viii), the following clause shall be inserted, namely:—

“(ix) such other scheme or arrangement which the Central Government may, in consultation with the Board, notify.”.

4. *Amendment of section 11B.*— In section 11B of the principal Act, the following *Explanation* shall be inserted, namely:—

“*Explanation.*— For the removal of doubts, it is hereby declared that the power to issue directions under this section shall include and always be deemed to have been included the power to direct any person who made profit or averted loss by indulging in any transaction or activity in contravention of the provisions of this Act or regulations made thereunder, to disgorge an amount equivalent to the wrongful gain made or loss averted by such contravention.”.

5. *Amendment of section 11C.*— In section 11C of the principal Act,—

(i) in sub-section (8), for the words “the Judicial Magistrate of the first class having

jurisdiction", the words "the Magistrate or Judge of such designated court in Mumbai, as may be notified by the Central Government" shall be substituted;

(ii) after sub-section (8), the following sub-section shall be inserted, namely:—

"(8A) The authorised officer may requisition the services of any police officer or any officer of the Central Government, or of both, to assist him for all or any of the purposes specified in sub-section (8) and it shall be the duty of every such officer to comply with such requisition.";

(iii) in sub-section (9), for the words "the Magistrate" occurring at both the places, the words "the Magistrate or Judge of the Designated Court" shall be substituted;

(iv) in sub-section (10), for the words "the Magistrate", the words "the Magistrate or Judge of the Designated Court" shall be substituted.

6. *Amendment of section 15A.*— In section 15A of the principal Act, in clauses (a), (b) and (c), for the words "of one lakh rupees for each day during which such failure continues or one crore rupees, whichever is less", the words "which shall not be less than one lakh rupees but which may extend to one lakh rupees for each day during which such failure continues subject to a maximum of one crore rupees" shall be substituted.

7. *Amendment of section 15B.*— In section 15B of the principal Act, for the words "of one lakh rupees for each day during which such failure continues or one crore rupees, whichever is less", the words "which shall not be less than one lakh rupees but which may extend to one lakh rupees for each day during which such failure continues subject to a maximum of one crore rupees" shall be substituted.

8. *Amendment of section 15C.*— In section 15C of the principal Act, for the words "of

one lakh rupees for each day during which such failure continues or one crore rupees, whichever is less", the words "which shall not be less than one lakh rupees but which may extend to one lakh rupees for each day during which such failure continues subject to a maximum of one crore rupees" shall be substituted.

9. *Amendment of section 15D.*— In section 15D of the principal Act,—

(i) in clause (a), for the words "of one lakh rupees for each day during which he sponsors or carries on any collective investment scheme including mutual funds, or one crore rupees, whichever is less", the words "which shall not be less than one lakh rupees but which may extend to one lakh rupees for each day during which he sponsors or carries on any such collective investment scheme including mutual funds subject to a maximum of one crore rupees" shall be substituted;

(ii) in clauses (b), (c), (d), (e) and (f), for the words "of one lakh rupees for each day during which such failure continues or one crore rupees, whichever is less", the words "which shall not be less than one lakh rupees but which may extend to one lakh rupees for each day during which such failure continues subject to a maximum of one crore rupees" shall be substituted.

10. *Amendment of section 15E.*— In section 15E of the principal Act, for the words "of one lakh rupees for each day during which such failure continues or one crore rupees, whichever is less", the words "which shall not be less than one lakh rupees but which may extend to one lakh rupees for each day during which such failure continues subject to a maximum of one crore rupees" shall be substituted.

11. *Amendment of section 15F.*— In section 15F of the principal Act,—

(i) in clause (a), for the words "a penalty not exceeding five times the amount", the words, "a penalty which shall not be less

than one lakh rupees but which may extend to" shall be substituted;

(ii) in clause (b), for the words "of one lakh rupees for each day during which such failure continues, or one crore rupees, whichever is less", the words "which shall not be less than one lakh rupees but which may extend to one lakh rupees for each day during which he sponsors or carries on any such collective investment scheme including mutual funds subject to a maximum of one crore rupees" shall be substituted;

(iii) in clause (c), for the words "of one lakh rupees or five times the amount of brokerage", the words "which shall not be less than one lakh rupees but which may extend to five times the amount of brokerage" shall be substituted.

12. *Amendment of section 15G.*— In section 15G of the principal Act, for the words "of twenty-five crore rupees or three times the amount of profits made out of insider trading, whichever is higher", the words "which shall not be less than ten lakh rupees but which may extend to twenty-five crore rupees or three times the amount of profits made out of insider trading, whichever is higher" shall be substituted.

13. *Amendment of section 15H.*— In section 15H of the principal Act, for the words "of twenty-five crore rupees or three times the amount of profits made out of such failure, whichever is higher", the words "which shall not be less than ten lakh rupees but which may extend to twenty-five crore rupees or three times the amount of profits made out of such failure, whichever is higher" shall be substituted.

14. *Amendment of section 15HA.*— In section 15HA of the principal Act, for the words "of twenty-five crore rupees or three times the amount of profits made out of such practices, whichever is higher", the words "which shall not be less than five lakh rupees but which

may extend to twenty-five crore rupees or three times the amount of profits made out of such practices, whichever is higher" shall be substituted.

15. *Amendment of section 15HB.*— In section 15HB of the principal Act for the words "liable to a penalty which may extend to one crore rupees", the words "liable to a penalty which shall not be less than one lakh rupees but which may extend to one crore rupees" shall be substituted.

16. *Amendment of section 15-I.*— In section 15-I of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

"(3) The Board may call for and examine the record of any proceedings under this section and if it considers that the order passed by the adjudicating officer is erroneous to the extent it is not in the interests of the securities market, it may, after making or causing to be made such inquiry as it deems necessary, pass an order enhancing the quantum of penalty, if the circumstances of the case so justify:

Provided that no such order shall be passed unless the person concerned has been given an opportunity of being heard in the matter:

Provided further that nothing contained in this sub-section shall be applicable after an expiry of a period of three months from the date of the order passed by the adjudicating officer or disposal of the appeal under section 15T, whichever is earlier."

17. *Insertion of new section 15JB.*— After section 15JA of the principal Act, the following section shall be inserted and shall be deemed to have been inserted with effect from the 20th day of April, 2007, namely:—

"15JB. *Settlement of administrative and civil proceedings.*— (1) Notwithstanding anything contained in any other law for

the time being in force, any person, against whom any proceedings have been initiated or may be initiated under section 11, section 11B, section 11D, sub-section (3) of section 12 or section 15-I, may file an application in writing to the Board proposing for settlement of the proceedings initiated or to be initiated for the alleged defaults.

(2) The Board may, after taking into consideration the nature, gravity and impact of defaults, agree to the proposal for settlement, on payment of such sum by the defaulter or on such other terms as may be determined by the Board in accordance with the regulations made under this Act.

(3) The settlement proceedings under this section shall be conducted in accordance with the procedure specified in the regulations made under this Act.

(4) No appeal shall lie under section 15T against any order passed by the Board or adjudicating officer, as the case may be, under this section."

18. *Amendment of section 15T.*— In section 15T of the principal Act, sub-section (2) shall be omitted.

19. *Amendment of section 26.*— In section 26 of the principal Act, sub-section (2) shall be omitted.

20. *Insertion of new sections 26A, 26B, 26C, 26D and 26E.*— After section 26 of the principal Act, the following sections shall be inserted, namely:—

"26A. *Establishment of Special Courts.*—

(1) The Central Government may, for the purpose of providing speedy trial of offences under this Act, by notification, establish or designate as many Special Courts as may be necessary.

(2) A Special Court shall consist of a single judge who shall be appointed by the Central Government with the concurrence of the Chief Justice of the High Court within

whose jurisdiction the judge to be appointed is working.

(3) A person shall not be qualified for appointment as a judge of a Special Court unless he is, immediately before such appointment, holding the office of a Sessions Judge or an Additional Sessions Judge, as the case may be.

26B. *Offences triable by Special Courts.*— Notwithstanding anything contained in the Code of Criminal Procedure, 1973, all 2 of 1974. offences under this Act committed prior to the date of commencement, of the Securities Laws (Amendment) Act, 2014 or on or after the date of such commencement, shall be taken cognizance of and tried by the Special Court established for the area in which the offence is committed or where there are more Special Courts than one for such area, by such one of them as may be specified in this behalf by the High Court concerned.

26C. *Appeal and revision.*— The High Court may exercise, so far as may be applicable, all the powers conferred by Chapters XXIX and XXX of the Code of Criminal Procedure, 1973 on a 2 of 1974. High Court, as if a Special Court within the local limits of the jurisdiction of the High Court were a Court of Session trying cases within the local limits of the jurisdiction of the High Court.

26D. *Application of Code to proceedings before Special Court.*— (1) Save as otherwise provided in this Act, the provisions of the Code of Criminal Procedure, 1973 2 of 1974. shall apply to the proceedings before a Special Court and for the purposes of the said provisions,

the Special Court shall be deemed to be a Court of Session and the person conducting prosecution before a Special Court shall be deemed to be a Public Prosecutor within the meaning of clause (u) of section 2 of the Code of Criminal Procedure, 1973.

(2) The person conducting prosecution referred to in sub-section (1) should have been in practice as an advocate for not less than seven years or should have held a post, for a period of not less than seven years, under the Union or a State, requiring special knowledge of law.

26E. *Transitional provisions.*— Any offence committed under this Act, which is triable by a Special Court shall, until a Special Court is established, be taken cognizance of and tried by a Court of Session exercising jurisdiction over the area, notwithstanding anything contained in the Code of Criminal Procedure, 1973: 2 of 1974.

Provided that nothing contained in this section shall affect the powers of the High Court under section 407 of the Code of Criminal Procedure, 1973 2 of 1974. to transfer any case or class of cases taken cognizance by a Court of Session under this section."

21. *Insertion of new section 28A.*— After section 28 of the principal Act, the following section shall be inserted, namely:—

'28A. *Recovery of amounts.*— (1) If a person fails to pay the penalty imposed by the adjudicating officer or fails to comply with any direction of the Board for refund of monies or fails to comply with a direction of disgorgement order issued under section 11B or fails to pay any fees due to the Board, the Recovery Officer may draw up

under his signature a statement in the specified form specifying the amount due from the person (such statement being hereafter in this Chapter referred to as certificate) and shall proceed to recover from such person the amount specified in the certificate by one or more of the following modes, namely:—

(a) attachment and sale of the person's movable property;

(b) attachment of the person's bank accounts;

(c) attachment and sale of the person's immovable property;

(d) arrest of the person and his detention in prison;

(e) appointing a receiver for the management of the person's movable and immovable properties,

and for this purpose, the provisions of sections 220 to 227, 228A, 229, 232, the Second and Third Schedules to the Income-tax Act, 1961 and the Income-43 of 1961. -tax (Certificate Proceedings) Rules, 1962, as in force from time to time, in so far as may be, apply with necessary modifications as if the said provisions and the rules made thereunder were the provisions of this Act and referred to the amount due under this Act instead of to income-tax under the Income-tax Act, 1961.

Explanation 1.— For the purposes of this sub-section, the person's movable or immovable property or monies held in bank accounts shall include any property or monies held in bank accounts which has been transferred directly or indirectly on or after the date when the amount specified in certificate had become due, by the person to his spouse or minor child or son's wife

or son's minor child, otherwise than for adequate consideration, and which is held by, or stands in the name of, any of the persons aforesaid; and so far as the movable or immovable property or monies held in bank accounts so transferred to his minor child or his son's minor child is concerned, it shall, even after the date of attainment of majority by such minor child or son's minor child, as the case may be, continue to be included in the person's movable or immovable property or monies held in bank accounts for recovering any amount due from the person under this Act.

Explanation 2.— Any reference under the provisions of the Second and Third Schedules to the Income-tax Act, 1961 and the 43 of 1961. Income-tax (Certificate Proceedings) Rules, 1962 to the assessee shall be construed as a reference to the person specified in the certificate.

Explanation 3.— Any reference to appeal in Chapter XVIII and the Second Schedule to the Income-tax Act, 1961, shall be 43 of 1961. construed as a reference to appeal before the Securities Appellate Tribunal under section 15T of this Act.

(2) The Recovery Officer shall be empowered to seek the assistance of the local district administration while exercising the powers under sub-section (1).

(3) Notwithstanding anything contained in any other law for the time being in force, the recovery of amounts by a Recovery Officer under sub-section (1), pursuant to non-compliance with any direction issued by the Board under section 11B, shall have precedence over any other claim against such person.

(4) For the purposes of sub-sections (1), (2) and (3), the expression "Recovery

Officer" means any officer of the Board who may be authorised, by general or special order in writing, to exercise the powers of a Recovery Officer.'

22. *Amendment of section 30.*— In section 30 of the principal Act, in sub-section (2),—

(i) after clause (c), the following clauses shall be inserted, namely:—

"(ca) the utilisation of the amount credited under sub-section (5) of section 11;

(cb) the fulfilment of other conditions relating to collective investment scheme under sub-section (2A) of section 11AA;"

(ii) after clause (d), the following clauses shall be inserted, namely:—

"(da) the terms determined by the Board for settlement of proceedings under sub-section (2) and the procedure for conducting of settlement proceedings under sub-section (3) of section 15JB;

(db) any other matter which is required to be, or may be, specified by regulations or in respect of which provision is to be made by regulations."

23. *Insertion of new section 34A.*— After section 34 of the principal Act, the following section shall be inserted, namely:—

"34A. *Validation of certain acts.*— Any act or thing done or purporting to have been done under the principal Act, in respect of calling for information from, or furnishing information to, other authorities, whether in India or outside India, having functions similar to those of the Board and in respect of settlement of administrative and civil proceedings, shall, for all purposes, be deemed to be valid and effective as if the amendments made to the principal Act had been in force at all material times."

CHAPTER III

Amendments to the Securities Contracts
(Regulation) Act, 195624. *Amendment of section 12A.*—

In section 12A of the Securities Contracts (Regulation) Act, 1956 42 of 1956. (hereafter in this Chapter referred to as the principal Act), the following *Explanation* shall be inserted, namely:—

“Explanation.— For the removal of doubts, it is hereby declared that power to issue directions under this section shall include and always be deemed to have been included the power to direct any person, who made profit or averted loss by indulging in any transaction or activity in contravention of the provisions of this Act or regulations made thereunder, to disgorge an amount equivalent to the wrongful gain made or loss averted by such contravention.”.

25. *Amendment of section 23A.*— In section 23A of the principal Act, in clauses (a) and (b), for the words “of one lakh rupees for each day during which such failure continues or one crore rupees, whichever is less”, the words “which shall not be less than one lakh rupees but which may extend to one lakh rupees for each day during which such failure continues subject to a maximum of one crore rupees” shall be substituted.

26. *Amendment of section 23B.*— In section 23B of the principal Act, for the words “of one lakh rupees for each day during which such failure continues or one crore rupees, whichever is less”, the words “which shall not be less than one lakh rupees but which may extend to one lakh rupees for each day during which such failure continues subject to a maximum of one crore rupees” shall be substituted.

27. *Amendment of section 23C.*— In section 23C of the principal Act, for the words “of one lakh rupees for each day during which

such failure continues or one crore rupees, whichever is less”, the words “which shall not be less than one lakh rupees but which may extend to one lakh rupees for each day during which such failure continues subject to a maximum of one crore rupees” shall be substituted.

28. *Amendment of section 23D.*— In section 23D of the principal Act, for the words “liable to a penalty not exceeding one crore rupees”, the words “liable to a penalty which shall not be less than one lakh rupees but which may extend to one crore rupees” shall be substituted.

29. *Amendment of section 23E.*— In section 23E of the principal Act, for the words “liable to a penalty not exceeding twenty-five crore rupees”, the words “liable to a penalty which shall not be less than five lakh rupees but which may extend to twenty-five crore rupees” shall be substituted.

30. *Amendment of section 23F.*— In section 23F of the principal Act, for the words “liable to a penalty not exceeding twenty-five crore rupees”, the words “liable to a penalty which shall not be less than five lakh rupees but which may extend to twenty-five crore rupees” shall be substituted.

31. *Amendment of section 23G.*— In section 23G of the principal Act, for the words “liable to a penalty not exceeding twenty-five crore rupees”, the words “liable to a penalty which shall not be less than five lakh rupees but which may extend to twenty-five crore rupees” shall be substituted.

32. *Amendment of section 23H.*— In section 23H of the principal Act, for the words “liable to a penalty which may extend to one crore rupees”, the words “liable to a penalty which shall not be less than one lakh rupees but which may extend to one crore rupees” shall be substituted.

33. *Amendment of section 23-I.*— In section 23-I of the principal Act, after sub-section (2),

the following sub-section shall be inserted, namely:—

“(3) The Board may call for and examine the record of any proceedings under this section and if it considers that the order passed by the adjudicating officer is erroneous to the extent it is not in the interests of the securities market, it may, after making or causing to be made such inquiry as it deems necessary, pass an order enhancing the quantum of penalty, if the circumstances of the case so justify:

Provided that no such order shall be passed unless the person concerned has been given an opportunity of being heard in the matter:

Provided further that nothing contained in this sub-section shall be applicable after an expiry of a period of three months from the date of the order passed by the adjudicating officer or disposal of the appeal under section 23L, whichever is earlier.”.

34. *Insertion of new section 23JA.*— After section 23J of the principal Act, the following section shall be inserted and shall be deemed to have been inserted with effect from the 20th day of April, 2007, namely:—

“23JA. *Settlement of administrative and civil proceedings.*— (1) Notwithstanding anything contained in any other law for the time being in force, any person, against whom any proceedings have been initiated or may be initiated under section 12A or section 23-I, may file an application in writing to the Board proposing for settlement of the proceedings initiated or to be initiated for the alleged defaults.

(2) The Board may, after taking into consideration the nature, gravity and impact of defaults, agree to the proposal for settlement, on payment of such sum by the defaulter or on such other terms as may be determined

by the Board in accordance with the regulations made under the Securities and Exchange Board of India Act, 1992. 15 of 1992.

(3) For the purposes of settlement under this section, the procedure as specified by the Board under the Securities and Exchange Board of India Act, 15 of 1992. 1992 shall apply.

(4) No appeal shall lie under section 23L against any order passed by the Board or the adjudicating officer, as the case may be, under this section.”.

35. *Insertion of new section 23JB.*— After section 23JA of the principal Act as so inserted, the following section shall be inserted, namely:—

23JB. *Recovery of amounts.*— (1) If a person fails to pay the penalty imposed by the adjudicating officer or fails to comply with a direction of disgorgement order issued under section 12A or fails to pay any fees due to the Board, the Recovery Officer may draw up under his signature a statement in the specified form specifying the amount due from the person (such statement being hereafter in this Chapter referred to as certificate) and shall proceed to recover from such person the amount specified in the certificate by one or more of the following modes, namely:—

(a) attachment and sale of the person's movable property;

(b) attachment of the person's bank accounts;

(c) attachment and sale of the person's immovable property;

(d) arrest of the person and his detention in prison;

(e) appointing a receiver for the management of the person's movable and immovable properties.

and for this purpose, the provisions of sections 220 to 227, 228A, 229, 232, the Second and Third Schedules to the Income-tax Act, 1961 and the Income-tax (Certificate Proceedings) Rules, 1962, as in force from time to time, in so far as may be, apply with necessary modifications as if the said provisions and the rules thereunder were the provisions of this Act and referred to the amount due under this Act instead of to income-tax under the Income-tax Act, 1961.

Explanation 1.— For the purposes of this sub-section, the person's movable or immovable property or monies held in bank accounts shall include any property or monies held in bank accounts which has been transferred, directly or indirectly on or after the date when the amount specified in certificate had become due, by the person to his spouse or minor child or son's wife or son's minor child, otherwise than for adequate consideration, and which is held by, or stands in the name of, any of the persons aforesaid; and so far as the movable or immovable property or monies held in bank accounts so transferred to his minor child or his son's minor child is concerned, it shall, even after the date of attainment of majority by such minor child or son's minor child, as the case may be, continue to be included in the person's movable or immovable property or monies held in bank accounts for recovering any amount due from the person under this Act.

Explanation 2.— Any reference under the provisions of the Second and Third Schedules to the Income-tax Act, 1961 and the Income-tax (Certificate Proceedings) Rules, 1962 to the assessee shall be construed as a reference to the person specified in the certificate.

Explanation 3.— Any reference to appeal in Chapter XVIII and the Second Schedule to the Income-tax Act, 1961, shall be construed as a reference to appeal before the Securities Appellate Tribunal under section 23L of this Act.

(2) The Recovery Officer shall be empowered to seek the assistance of the local district administration while exercising the powers under sub-section (1).

(3) Notwithstanding anything contained in any other law for the time being in force, the recovery of amounts by a Recovery Officer under sub-section (1), pursuant to non-compliance with any direction issued by the Board under section 12A, shall have precedence over any other claim against such person.

(4) For the purposes of sub-sections (1), (2) and (3), the expression "Recovery Officer" means any officer of the Board who may be authorised, by general or special order in writing to exercise the powers of a Recovery Officer.'

36. *Amendment of section 23L.*— In section 23L of the principal Act, in sub-section (1), after the word, figure and letter "section 4B", the words, brackets, figures and letter "or sub-section (3) of section 23-I" shall be inserted.

37. *Amendment of section 26.*— In section 26 of the principal Act, sub-section (2) shall be omitted.

38. *Insertion of new sections 26A, 26B, 26C, 26D and 26E.*— After section 26 of the principal Act, the following sections shall be inserted, namely:—

"26A. *Establishment of Special Courts.*—

(1) The Central Government may, for the purpose of providing speedy trial of offences under this Act, by notification, establish or

designate as many Special Courts as may be necessary.

(2) A Special Court shall consist of a single judge who shall be appointed by the Central Government with the concurrence of the Chief Justice of the High Court within whose jurisdiction the judge to be appointed is working.

(3) A person shall not be qualified for appointment as a judge of a Special Court unless he is, immediately before such appointment, holding the office of a Sessions Judge or an Additional Sessions Judge, as the case may be.

26B. Offences triable by Special Courts.— Notwithstanding anything contained in the Code of Criminal Procedure, 1973, all offences under this Act committed prior to the date of commencement of the Securities Laws (Amendment) Act, 2014 or on or after the date of such commencement, shall be taken cognizance of and tried by the Special Court established for the area in which the offence is committed or where there are more Special Courts than one for such area, by such one of them as may be specified in this behalf by the High Court concerned. 2 of 1974.

26C. Appeal and Revision.— The High Court may exercise, so far as may be applicable, all the powers conferred by Chapters XXIX and XXX of the Code of Criminal Procedure, 1973 on a High Court, as if a Special Court within the local limits of the jurisdiction of the High Court were a Court of Session trying cases within the local limits of the jurisdiction of the High Court. 2 of 1974.

26D. Application of Code to proceedings before Special Court.—

(1) Save as otherwise provided in this Act, the provisions of the Code of Criminal Procedure, 1973 shall apply to the proceedings before a Special Court and for the purposes of the said provisions, the Special Court shall be deemed to be a Court of Session and the person conducting prosecution before a Special Court shall be deemed to be a Public Prosecutor within the meaning of clause (u) of section 2 of the Code of Criminal Procedure, 1973. 2 of 1974.

(2) The person conducting prosecution referred to in sub-section (1) should have been in practice as an advocate for not less than seven years or should have held a post, for a period of not less than seven years, under the Union or a State, requiring special knowledge of law.

26E. Transitional provisions.—

Any offence committed under this Act, which is triable by a Special Court shall, until a Special Court is established, be taken cognizance of and tried by a Court of Session exercising jurisdiction over the area, notwithstanding anything contained in the Code of Criminal Procedure, 1973: 2 of 1974.

Provided that nothing contained in this section shall affect the powers of the High Court under section 407 of the Code to transfer any case or class of cases taken cognizance by a Court of Session under this section."

39. Amendment of section 31.— In section 31 of the principal Act, in sub-section (2), after clause (b), the following clauses shall be inserted, namely:—

"(c) the terms determined by the Board for settlement of proceedings under sub-section (2) of section 23JA;

(d) any other matter which is required to be, or may be, specified by regulations or in respect of which provision is to be made by regulations.”.

40. *Insertion of new section 32.*— After section 31 of the principal Act, the following section shall be inserted, namely:—

“32. *Validation of certain acts.*— Any act or thing done or purporting to have been done under the principal Act, in respect of settlement of administrative and civil proceedings, shall, for all purposes, be deemed to be valid and effective as if the amendments made to the principal Act had been in force at all material times.”.

CHAPTER IV

Amendments to the Depositories Act, 1996

41. *Amendment of section 19.*— In section 19 of the Depositories Act, 1996 (hereafter in this Chapter 22 of 1996. referred to as the principal Act), the following *Explanation* shall be inserted, namely:—

“*Explanation.*— For the removal of doubts, it is hereby declared that power to issue directions under this section shall include and always be deemed to have been included the power to direct any person, who made profit or averted loss by indulging in any transaction or activity in contravention of the provisions of this Act or regulations made thereunder, to disgorge an amount equivalent to the wrongful gain made or loss averted by such contravention.”.

42. *Amendment of section 19A.*— In section 19A of the principal Act, in clauses (a), (b) and (c), for the words “of one lakh rupees for each day during which such failure continues or one crore rupees, whichever is less”, the words “which shall not be less than one lakh rupees but which may extend to one lakh rupees for each day during which such failure

continues subject to a maximum of one crore rupees” shall be substituted.

43. *Amendment of section 19B.*— In section 19B of the principal Act, for the words “of one lakh rupees for each day during which such failure continues or one crore rupees, whichever is less”, the words “which shall not be less than one lakh rupees but which may extend to one lakh rupees for each day during which such failure continues subject to a maximum of one crore rupees” shall be substituted.

44. *Amendment of section 19C.*— In section 19C of the principal Act, for the words “of one lakh rupees for each day during which such failure continues or one crore rupees, whichever is less”, the words “which shall not be less than one lakh rupees but which may extend to one lakh rupees for each day during which such failure continues subject to a maximum of one crore rupees” shall be substituted.

45. *Amendment of section 19D.*— In section 19D of the principal Act, for the words “of one lakh rupees for each day during which such failure continues or one crore rupees, whichever is less”, the words “which shall not be less than one lakh rupees but which may extend to one lakh rupees for each day during which such failure continues subject to a maximum of one crore rupees” shall be substituted.

46. *Amendment of section 19E.*— In section 19E of the principal Act, for the words “of one lakh rupees for each day during which such failure continues or one crore rupees, whichever is less”, the words “which shall not be less than one lakh rupees but which may extend to one lakh rupees for each day during which such failure continues subject to a maximum of one crore rupees” shall be substituted.

47. *Amendment of section 19F.*— In section 19F of the principal Act, for the words “of one lakh rupees for each day during which

such failure continues or one crore rupees, whichever is less", the words "which shall not be less than one lakh rupees but which may extend to one lakh rupees for each day during which such failure continues subject to a maximum of one crore rupees" shall be substituted.

48. *Amendment of section 19G.*— In section 19G of the principal Act, for the words "liable to a penalty which may extend to one crore rupees", the words "liable to a penalty which shall not be less than one lakh rupees but which may extend to one crore rupees" shall be substituted.

49. *Amendment of section 19H.*— In section 19H of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

"(3) The Board may call for and examine the record of any proceedings under this section and if it considers that the order passed by the adjudicating officer is erroneous to the extent it is not in the interests of the securities market, it may, after making or causing to be made such inquiry as it deems necessary, pass an order enhancing the quantum of penalty, if the circumstances of the case so justify:

Provided that no such order shall be passed unless the person concerned has been given an opportunity of being heard in the matter:

Provided further that nothing contained in this sub-section shall be applicable after an expiry of a period of three months from the date of the order passed by the adjudicating officer or disposal of the appeal under section 23A, whichever is earlier."

50. *Insertion of new section 19-IA.*— After section 19-I of the principal Act, the following section shall be inserted and shall be deemed to have been inserted with effect from the 20th day of April, 2007, namely:—

"19-IA. *Settlement of Administrative and Civil Proceedings.*— (1) Notwithstanding

anything contained in any other law for the time being in force, any person, against whom any proceedings have been initiated or may be initiated under section 19 or section 19H, as the case may be, may file an application in writing to the Board proposing for settlement of the proceedings initiated or to be initiated for the alleged defaults.

(2) The Board may, after taking into consideration the nature, gravity and impact of defaults, agree to the proposal for settlement, on payment of such sum by the defaulter or on such other terms as may be determined by the Board in accordance with the regulations made under the Securities and Exchange Board of India Act, 1992.

15 of 1992.

(3) For the purpose of settlement under this section, the procedure as specified by the Board under the Securities and Exchange Board of India Act, 1992 15 of 1992 shall apply.

(4) No appeal shall lie under section 23A against any order passed by the Board or the adjudicating officer under this section."

51. *Insertion of new section 19-1B.*—After section 19-IA of the principal Act as so inserted, the following section shall be inserted, namely:—

'19-IB. *Recovery of amounts.*— (1) If a person fails to pay the penalty imposed by the adjudicating officer or fails to comply with a direction of disgorgement order issued under section 19 or fails to pay any fees due to the Board, the Recovery Officer may draw up under his signature a statement in the specified form specifying the amount due from the person (such statement being hereafter in this Chapter referred to as certificate) and shall proceed to recover from such person the amount

specified in the certificate by one or more of the following modes, namely:—

(a) attachment and sale of the person's movable property;

(b) attachment of the person's bank accounts;

(c) attachment and sale of the person's immovable property;

(d) arrest of the person and his detention in prison;

(e) appointing a receiver for the management of the person's movable and immovable properties,

and for this purpose, the provisions of sections 220 to 227, 228A, 229, 232, the Second and Third Schedules to the Income-tax Act, 1961 and the Income-tax 43 of 1961. (Certificate Proceedings) Rules, 1962, as in force from time to time, in so far as may be, apply with necessary modifications as if the said provisions and the rules thereunder were the provisions of this Act and referred to the amount due under this Act instead of to income-tax under the Income-tax Act, 1961.

Explanation 1.— For the purposes of this sub-section, the person's movable or immovable property or monies held in bank accounts shall include any property or monies held in bank accounts which has been transferred, directly or indirectly on or after the date when the amount specified in certificate had become due, by the person to his spouse or minor child or son's wife or son's minor child, otherwise than for adequate consideration, and which is held by, or stands in the name of, any of the persons aforesaid; and so far as the movable or immovable property or monies held in bank accounts so transferred to

his minor child or his son's minor child is concerned, it shall, even after the date of attainment of majority by such minor child or son's minor child, as the case may be, continue to be included in the person's movable or immovable property or monies held in bank accounts for recovering any amount due from the person under this Act.

Explanation 2.— Any reference under the provisions of the Second and Third Schedules to the Income-tax Act, 1961 and 43 of 1961. the Income-tax (Certificate Proceedings) Rules, 1962 to the assessee shall be construed as a reference to the person specified in the certificate.

Explanation 3.— Any reference to appeal in Chapter XVIII and the Second Schedule to the Income-tax Act, 1961, shall be 43 of 1961. construed as a reference to appeal before the Securities Appellate Tribunal under section 23A of this Act.

(2) The Recovery Officer shall be empowered to seek the assistance of the local district administration while exercising the powers under sub-section (1).

(3) Notwithstanding anything contained in any other law for the time being in force, the recovery of amounts by a Recovery Officer under sub-section (1), pursuant to non-compliance with any direction issued by the Board under section 19, shall have precedence over any other claim against such person.

(4) For the purposes of sub-sections (1), (2) and (3), the expression "Recovery Officer" means any officer of the Board who may be authorised, by general or special order in writing, to exercise the powers of a Recovery Officer.

52. *Amendment of section 22.*— In section 22 of the principal Act, sub-section (2) shall be omitted.

53. *Insertion of new sections 22C, 22D, 22E, 22F and 22G.*— After section 22B of the principal Act, the following sections shall be inserted, namely:—

“22C. *Establishment of Special Courts.*—

(1) The Central Government may, for the purpose of providing speedy trial of offences under this Act, by notification, establish or designate as many Special Courts as may be necessary.

(2) A Special Court shall consist of a single judge who shall be appointed by the Central Government with the concurrence of the Chief Justice of the High Court within whose jurisdiction the judge to be appointed is working.

(3) A person shall not be qualified for appointment as a judge of a Special Court unless he is, immediately before such appointment, holding the office of a Sessions Judge or an Additional Sessions Judge, as the case may be.

22D. *Offences triable by Special Courts.*— Notwithstanding anything contained in the Code of Criminal Procedure, 1973, all offences under this Act committed prior to the date of commencement of the Securities Laws (Amendment) Act, 2014 or on or after the date of such commencement, shall be taken cognizance of and tried by the Special Court established for the area in which the offence is committed or where there are more Special Courts than one for such area, by such one of them as may be specified in this behalf by the High Court concerned.

22E. *Appeal and revision.*— The High Court may exercise, so far as may be applicable, all the powers conferred by Chapters XXIX and XXX of the Code of Criminal Procedure, 1973 on a High Court, as if a Special Court within the local limits of the jurisdiction of the High Court were a Court of Session trying cases within the local limits of the jurisdiction of the High Court.

22F. *Application of Code to proceedings before Special Court.*—

(1) Save as otherwise provided in this Act, the provisions of the Code of Criminal Procedure, 1973 shall apply to the proceedings before a Special Court and for the purposes of the said provisions, the Special Court shall be deemed to be a Court of Session and the person conducting prosecution before a Special Court shall be deemed to be a Public Prosecutor within the meaning of clause (u) of section 2 of the Code of Criminal Procedure, 1973.

(2) The person conducting prosecution referred to in sub-section (1) should have been in practice as an advocate for not less than seven years or should have held a post, for a period of not less than seven years, under the Union or a State, requiring special knowledge of law.

22G. *Transitional provisions.*—

Any offence committed under this Act, which is triable by a Special Court shall, until a Special Court is established, be taken cognizance of and tried by a Court of Session exercising jurisdiction over the area, notwithstanding anything contained in the Code of Criminal Procedure, 1973:

Provided that nothing contained in this section shall affect the powers of the High Court under section 407 of the Code to transfer any case or class of cases taken cognizance by a Court of Session under this section.”.

54. *Amendment of section 23A.*— In section 23A of the principal Act, sub-section (2) shall be omitted.

55. *Amendment of section 25.*— In section 25 of the principal Act, in sub-section (2), after clause (g), the following clauses shall be inserted, namely:—

“(h) the terms determined by the Board for settlement of proceedings under sub-section (2) of section 19-IA;

(i) any other matter which is required to be, or may be, specified by regulations or in respect of which provision to be made by regulations.”.

56. *Insertion of new section 30A.*— After section 30 of the principal Act, the following section shall be inserted, namely:—

“30A. *Validation of certain acts.*— Any act or thing done or purporting to have been done under the principal Act, in respect of settlement of administrative and civil proceedings, shall, for all purposes, be deemed to be valid and effective as if the amendments made to the principal Act had been in force at all material times.”.

57. *Validation and savings.*— Notwithstanding the fact that the Securities Laws (Amendment) Ord. 2 of 2014. Ordinance, 2014 has ceased to operate, anything done or any action taken or purported to have been done or taken under the provisions of the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act as if such provisions had been in force at all material times.

Department of Public Health

Notification

1/1/2008-II/PHD

Read:- (1) Government Notification No. 1/1/2008-II/PHD dated 21-05-2008, published in the Official Gazette, Extraordinary, Series I No. 8, dated 22-05-2008.

(2) Government Notification No. 1/1/2008-II/PHD dated 13-11-2013, published in the Official Gazette, Series I No. 34, dated 21-11-2013.

The Government of Goa is hereby pleased to amend the Goa (Rules for admission to the Super-speciality Course, Magister Chirurgiae (M.Ch.) Degree in Neuro-surgery of the Goa University at the Goa Medical College) Rules, 2008, as published vide Government Notification No. 1/1/2008-II/PHD dated 21-05-2008, in the Official Gazette, Extraordinary, Series I No. 8, dated 22-05-2008, as follows, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa (Rules for admission to the Super-speciality Course, Magister Chirurgiae (M.Ch.) Degree in Neuro-surgery of the Goa University at the Goa Medical College) (Second Amendment) Rules, 2015.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. *Amendment of rule 5.*— In rule 5 of the Goa (Rules for admission to the Super-speciality Course, Magister Chirurgiae (M.Ch.) Degree in Neuro-surgery of the Goa University at the Goa Medical College) Rules, 2008,—

(i) in sub-rule (2), for the figure “4”, the figure “7” shall be substituted;

(ii) for sub-rule (3), the following sub-rule shall be substituted, namely:—

“(3) The interview shall be held by a duly constituted Board for the purpose. A final

merit list shall be prepared based on the candidates' performance in both, the entrance examination and the interview. The entrance examination shall carry 85% marks and the interview shall carry 15% marks. The 15% marks shall be for the knowledge of Neuro-surgery and related knowledge in medical subjects. A final merit list of all the candidates attending the interview shall be prepared based on the total marks obtained in the entrance examination and interview; with the candidate having the highest marks occupying the highest rank in the merit list. All the candidates in the final merit list shall be asked to come for single common counseling session on the date specified every year. The admission to all the available

seats shall be completed on the day of common counseling session and the candidate shall be required to submit the original documents and join the course on the same day. The candidate in the first rank in the merit list shall be offered the seat first and then the other candidates shall be offered seat according to their rank in the merit list till all seats are filled. If a candidate higher in the merit list is absent, or is unwilling to join the course or is unable to submit the original documents; then, the candidate next in the merit list shall be offered the seat."

By order and in the name of the Governor of Goa.

Sangeeta M. Porob, Under Secretary (Health).
Porvorim, 31st March, 2015.

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Department of Public Works

Office of the Principal Chief Engineer

Order

50/1/2015/PCE-PWD-ADM(II)/300

Approval of the Government is hereby conveyed for creation of the below mentioned posts for Sewerage and Infrastructural Development Corporation of Goa Limited (SIDCGL).

Sr. No.	Name of the post	Classification	Pay Band+G.P.	No. of posts
1.	Head Clerk	Group 'C', Non-Gazetted	Rs. 9,300-34,800+G.P. 4,200	1
2.	Upper Division Clerk	Group 'C', Non-Gazetted	Rs. 5,200-20,200+G.P. 2,400	2
3.	Driver (Heavy Motor Vehicle)	Group 'C', Non-Gazetted	Rs. 5,200-20,200+G.P. 1,900	4
4.	Driver (Light Motor Vehicle)	Group 'C', Non-Gazetted	Rs. 5,200-20,200+G.P. 1,900	1

The expenditure is debitable to the Budget Head 4215 — Capital Outlay on Water Supply and Sanitation; 190—Investment in public sector and other undertaking; 01—Investment in Sewage Infrastructure Development Corporation; 54—Investments.

The SIDCL has the concurrence of the Finance (Exp.) Department vide its No. 1400004160 dated 4-12-2014.

This is issued as per the decision taken in the VIIth Cabinet Meeting of the Council of Ministers held on 27-2-2015 and conveyed by the Joint Secretary (GA), Government of Goa, General Administration Department, Secretariat, Porvorim, vide letter No. 1/8/2015-GAD-II dated 3-3-2015.

By order and in the name of the Governor of Goa.

D. J. S. Borker, Principal Chief Engineer & ex officio Additional Secretary (PWD).
Panaji, 30th March, 2015.

Notification

3-4/Pr.CE-PWD-Accts/2015-16/08

The prevailing rate of Water Tariff, Notification No. 8-4/PCE-PWD-Accts/2013-14/10 dated 17-4-2013, are hereby revised as follows:—

1. *Short title and commencement.*— (1) This order may be called the Goa Revision of Tariff for Water Supply and Sewerage Order, 2015.

(2) This order is for Fixation of Water Tariff and other charges for all categories.

(3) This shall come into force from 1-4-2015.

Sr. No. Type of Consumer/Item

1.	<i>Domestic Consumer</i>	
	(i) Upto 15 m ³	Rs. 2.50 per m ³
	(ii) Above 15 m ³ upto 25 m ³	Rs. 5.00 per m ³
	(iii) Above 25 m ³ upto 50 m ³	Rs. 10.00 per m ³
	(iv) Above 50 m ³	Rs. 15.00 per m ³
2.	<i>Small Hotels and small Restaurants</i>	(i) Rs. 20.00 per m ³ for first 80 m ³ (ii) Rs. 25.00 per m ³ above 80 m ³ Minimum charges Rs. 200/- per month
3.	<i>Defence</i>	Rs. 20.00 per m ³ (flat rate) Minimum charges Rs. 200/- per month
4.	<i>Small Scale/Medium/Large and all type of Industries/Hotels/Tourist Hotels (Other than small Hotels and Restaurants)</i>	Rs. 30.00 per m ³ (flat rate) Minimum charges Rs. 300/- per month
5.	<i>Commercial & other Establishment</i>	Rs. 35.00 per m ³ (flat rate) Minimum charges Rs. 400/- per month
6.	<i>Supply of water by big tankers between 6 m³ to 10 m³</i>	Rs. 1000/- per Trip
7.	<i>Connection charges</i>	
	(a) Domestic Consumer	
	<i>Size of connection</i>	
	(i) 15 mm/20 mm	Rs. 800/-
	(ii) Above 20 mm upto 25 mm	Rs. 2000/-
	(iii) Above 25 mm upto 50 mm	Rs. 3000/-
	(iv) Above 50 mm	Rs. 7000/-
	(b) Non-Domestic Consumer	
	<i>Size of connection</i>	
	(i) 15 mm/20 mm	Rs. 3000/-
	(ii) Above 20 mm upto 25 mm	Rs. 7000/-
	(iii) Above 25 mm upto 150 mm	Rs. 15000/-
8.	<i>Meter Rent</i>	
	<i>Size of meter</i>	
	(i) 15 mm	Rs. 20.00
	(ii) 20 mm	Rs. 70.00
	(iii) 25 mm	Rs. 90.00
	(iv) 40 mm	Rs. 250.00

(v) 50 mm	Rs. 300.00
(vi) 80 mm	Rs. 800.00
(vii) 100 mm	Rs. 1000.00
(viii) 150 mm	Rs. 1500.00
9. <i>Inspection charges once in a year</i>	
(a) Water connection	
(i) Domestic connection	Rs. 70.00 per connection
(ii) Non-Domestic connection	Rs. 300.00 per connection
(b) On-Site Sanitation Septic Tank	
(i) Domestic connection	Rs. 150.00 per connection
(ii) Non-Domestic connection	Rs. 750.00 per connection
10. <i>Testing of Water Meters</i>	
	Domestic Rs. 150/- per meter per test
	Non-Domestic Rs. 300/- per meter per test

Note: (i) Rates for all other categories shall be charged as per Notification No. 8-4/Pr.CE-PWD-Accts/2013-14/10 dated 17-4-2013.

(ii) In case of special connection the tariff and the connection charges of diameters shall be decided by the Department on case to case basis.

By order and in the name of the Governor of Goa.

D. J. S. Borker, Principal Chief Engineer & ex officio Additional Secretary (PWD).

Panaji, 7th April, 2015.



Department of Tribal Welfare

Directorate of Tribal Welfare

Notification

1-200/2014-15/ADMN/DTW/SD/17

Government of Goa is pleased to frame a new scheme: "Celebration of Sankalp Din" for Adivasi Vanbandhu Sashktikaran.

1. *Short title & commencement.*— (a) The scheme shall be called as "Celebration of Sankalp Din".

(b) The scheme shall come into force from the date of its notification in the Official Gazette.

CELEBRATION OF SANKALP DIN

2. *Introduction.*— (1) The proposal is for Celebrating Sankalp Din for Adivasi Vanbandhu Sashaktikaran. It is a way forward step in the direction of empowering Scheduled Tribes by celebrating Sankalp Din.

(2) The Day will also be observed in the memory of Late Shri Manguesh Gaonkar & Deelip Velip who laid their life for the fulfilment of the demands of Scheduled Tribe people in the State of Goa on 25-05-2011.

3. *Objective.*— (1) To strengthen the development process of the ST people in Goa through information and Publicity.

(2) To create awareness about the different schemes implementation by the Department for the welfare of ST people.

(3) To create positive impact in the livelihood, education and living conditions of the poor STs in Goa.

(4) To provide a platform to share their grievances and to know their aspirations.

(5) To felicitate in the memory of Late Shri Manguesh Gaonkar & Shri Deelip Velip, one male & one Female from ST community in various fields such as Education, Culture, Sports or any other fields with cash award of Rs. one lakh for outstanding performance.

4. *Specification.*— (1) Sankalp Din shall be celebrated to felicitate persons from ST community in various fields such as Education, Culture, Sports etc.

(2) Every year one male and one female will be felicitated in one of the fields mentioned above.

(3) Director of Tribal Welfare shall make a separate budget provision every year to organise the day.

(4) Rupees one lakh each will be awarded to ST male and ST female.

(5) There shall be Organising Committee to organise the programme.

5. Organising Committee has been constituted as given below:—

(i) Hon. Minister for Tribal Welfare — Chairman.

(ii) Chairperson of SC/ST Corporation — Member.

(iii) Chairperson of SC/ST Commission — Member.

(iv) Director of Tribal Welfare — Member Secretary.

In addition to these members Hon. Minister shall nominate 3 members of ST community as a member of Organising Committee.

6. Organising Committee shall be empowered to decide how & where to organise the programme and all such related things/ issues of Sankalp Din Celebration.

7. Every year one male & one female from ST community in various fields such as Education, Culture, Sports or any other fields shall be felicitated with cash award of

Rupees one lakh each for outstanding performance.

8. There shall be Selection Committee to judge the outstanding performance. The Selection Committee shall prepare the criteria for judging the outstanding performance.

9. Selection Committee has been constituted as under to select the ST people for their outstanding performance.

(a) Hon. Minister for Tribal Welfare — Chairperson.

(b) Secretary, Tribal Welfare — Member.

(c) Managing Director (GSSTFDC Ltd.) — Member.

(d) Administrative Officer (GCSCST) — Member.

(e) Director, Tribal Welfare — Member Secretary.

Organising Committee shall nominate two expert members from the Government Departments in the field which is selected for felicitation. These two members shall not be below the rank of Director.

10. The decision of the Selection Committee regarding Felicitation Award is final.

11. Issues regarding eligibility or operation or of a new situation which is not envisaged at the time of formulation of the scheme, would be resolved by the Organizing Committee.

By order and in the name of Governor of Goa.

Sandhya Kamat, Director & ex officio Jt. Secretary (Tribal Welfare).

Panaji, 1st April, 2015.

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